

9200/2664

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Philippe Daniel, Paul Elliott, Keith Neuendorff, Phu Le, Xiaopin Nie, Brian Rushka  
Assignee: Cisco Technology, Inc.  
Title: Multiple Ring Support Within a Single Network Element  
Serial No.: 09/639,396 Filing Date: August 15, 2000  
Examiner: Unassigned Group Art Unit: 2664  
Docket No.: CIS0079US

Austin, Texas  
August 22, 2002

BOX DAC  
COMMISSIONER FOR PATENTS  
Washington, D. C. 20231

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Dear Sir:


The above-identified application was held abandoned for failure to respond to the Notice to File Missing Parts mailed October 24, 2000 which was purportedly due December 24, 2000. Pursuant to 37 C.F.R. § 1.181(a), Applicants respectfully petition the Commissioner to withdraw the holding of abandonment in the above-identified application, in light of the following points.

1. A Notice to File Missing Parts was received November 3, 2000.
2. A "Petition Under 37 CFR 1.16(e)" was filed on October 27, 2000 for entry of the Declaration for Patent Application and Power of Attorney to complete the filing under 37 CFR 1.53(b). Copies of the "Petition Under 37 CFR 1.16(e)," the Declaration for Patent Application and Power of Attorney, and the return post card indicating receipt by the USPTO on October 30, 2000 accompany this petition. The requirements of the Notice to File Missing Parts had therefore already been met at the time the Notice to File Missing Parts was received.
3. The Notice of Abandonment bears a mailing date of August 5, 2002.

4. This Petition is filed within two months of the Notice of Abandonment mailing date.  
See 37 C.F.R. § 1.181(f). Because this Petition is filed timely, no terminal disclaimer is required.  
See MPEP 711.03(c).

5. Applicants therefore respectfully request that the holding of abandonment be withdrawn.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box DAC, Commissioner for Patents, Washington, D.C. 20231, on August 22, 2002.

  
\_\_\_\_\_  
Attorney for Applicant(s)

8/22/02  
\_\_\_\_\_  
Date of Signature

Respectfully submitted,



Marc Ascolese  
Attorney for Applicant(s)  
Reg. No. 42,268  
(512) 439-5080  
(512) 439-5099 (fax)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY**

Applicants: Daniel, Philippe; Elliott, Paul; Le, Phu; Neuendorff, Keith; Nie, Xiaopin; Rushka, Brian  
Assignee: Cisco Technology, Inc.  
Title: Multiple Ring Support Within A Single Network Element  
Serial No.: 09/636,396 Filing Date: August 15, 2000  
Examiner: Unassigned Group Art Unit: Unassigned  
Docket No.: M-8390 US

105-130

San Jose, California  
October 30, 2000

27

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
Washington, D. C. 20231

02/06/2003 SDIRETAL 00000007 09639396

01 FC:1051 130.00 CH

"PETITION UNDER 37 C.F.R. 1.16(e)"

Dear Sir:

Applicants respectfully petition for entry of the enclosed Declaration and Power of Attorney to complete the above-referenced filing under 37 C.F.R. 1.53(b) for missing parts of a non-provisional application.

The United States Patent and Trademark Office is hereby authorized to charge the fee of \$130.00 to Deposit Account No. 19-2386. The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 19-2386.

It is hereby respectfully submitted that the enclosed documents complete the filing of the above-patent application and justify the filing date of August 15, 2000.

Please telephone the undersigned at (408) 453-9200, if there are any questions. This form is being submitted in duplicate.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on 10/27, 2000.

*Paul E. Lewkowicz*  
Attorney for Applicants

10/27/00  
Date of Signature

Respectfully submitted,

*Paul E. Lewkowicz*  
Paul E. Lewkowicz  
Attorney for Applicants  
Reg. No. 44,870

02/06/2003 SDIRETAL 00000004 192386 09639396  
Sale Ref: 00000007 DAW: 192386 09639396  
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**COPY**

**BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231**

Applicants: Daniel, Philippe; Elliott, Paul; Le, Phu; Neuendorff, Keith; Nie, Xiaopin; Rushka, Brian  
Assignee: Cisco Technology, Inc.  
Title: Multiple Ring Support Within A Single Network Element  
Serial No.: 09/636,396  
Filed: August 15, 2000  
Atty Docket No.: M-8390 US

**ENCLOSED:**

1. This Return Receipt Postcard;
2. Petition to Enter Declaration and Power of Attorney (in duplicate) (1 page); and
3. Declaration and Power of Attorney for Patent Application (3 pages).

PEL/nmm  
October 30, 2000

27 *PEL*

**RECEIVED  
BY DOCKET DEPT**

**NOV 0 0 2000**

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**BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231**

SKJERVEN, MURPHY  
FRANKLIN & FIEL

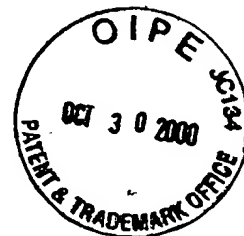
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2. Petition to Enter Declaration and Power of Attorney (in duplicate) (1 page); and
3. Declaration and Power of Attorney for Patent Application (3 pages).

PEL/nmm  
October 30, 2000

27 *PEL*



**DECLARATION FOR PATENT APPLICATION  
AND POWER OF ATTORNEY****COPY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

**Multiple Ring Support Within A Single Network Element**

which (check) ☐ is attached hereto.  
☐ and is amended by the Preliminary Amendment attached hereto.  
☒ was filed on 08/15/2000 as Application Serial No. 09/639,396  
☐ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
N/A	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
------------------------	-------------	---------------------------------------

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
N/A		

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Alan H. MacPherson (24,423); Brian D. Ogonowsky (31,988); David W. Heid (25,875); Norman R. Klivans (33,003); Edward C. Kwok (33,938); David E. Steuber (25,557); Michael Shenker (34,250); Stephen A. Terrile (32,946); Peter H. Kang (40,350); Ronald J. Meetin (29,089); Ken John Koestner (33,004); Omkar K. Suryadevara (36,320); David T. Millers (37,396); Michael P. Adams (34,763); Robert B. Morrill (43,817); James E. Parsons (34,691); Philip W. Woo (39,880); Emily Haliday (38,903); Tom Hunter (38,498); Michael J. Halbert (40,633); Gary J. Edwards (41,008); Daniel P. Stewart (41,332); John T. Winburn (26,822); Tom Chen (42,406); Fabio E. Marino (43,339); Don C. Lawrence (31,975); Marc R. Ascolese (42,268); Carmen C. Cook (42,433); David G. Dolezal (41,711); Roberta P. Saxon (43,087); Mary Jo Bertani (42,321); Dale R. Cook (42,434); Sam G. Campbell (42,381); Matthew J. Brigham (40,047); Patrick D. Benedicto (40,909); T.J. Singh (39,535); Shireen Irani Bacon (40,494); Rory G. Bens (44,028); George Wolken, Jr. (30,441); John A. Odozynski (28,769); Paul E. Lewkowicz (44,870); Theodore P. Lopez (44,881); Eric Stephenson (38,321); Christopher Allenby (45,906); David C. Hsia (46,235); Mark J. Rozman (42,117); Margaret M. Kelton (44,182); Do Te Kim (46,231); Alex Chen (45,591); Monique M. Heyninck (44,763); Gregory J. Michelson (44,940); Jonathan Geld (44,702); Emmanuel Rivera (45,760); Jason FarHadian (42,523); Matthew J. Spark (43,453); and Elaine H. Lo (41,158).


Please address all correspondence and telephone calls to:

Patrick D. Benedicto  
**SKJERVEN MORRILL MacPHERSON LLP**  
 25 Metro Drive, Suite 700  
 San Jose, California 95110-1349

Telephone: 408-453-9200  
 Facsimile: 408-453-7979

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Full name of first joint inventor: PHILIPPE DANIEL

Inventor's Signature: 

Date: 5/11/2000

Residence: Petaluma, California

Post Office Address: 4390 Bodega Avenue  
 Petaluma, CA 94952

Citizenship: Switzerland

COPY

Docket No. M-8390 US

Full name of second joint inventor: Paul Elliott

Inventor's Signature: *Paul Elliott*

Date: 9/15/00

Residence: POB 48

Post Office Address: Jenner CA 95450

Citizenship: USA

Full name of third joint inventor:

Keith Neuendorff

Inventor's Signature: *Keith Neuendorff*

Date: 09/14/2000

Residence: Petaluma, California

Post Office Address: 625 Sunnyslope Avenue  
Petaluma, CA 94952

Citizenship: USA

Full name of fourth joint inventor:

Phu Le

Inventor's Signature: *Phu Le*

Date: 09/14/2000

Residence: Rohnet Park, California

Post Office Address: 5081 Dawn Street  
Rohnet Park, CA 94928

Citizenship: Canada

Full name of fifth joint inventor:

Xiaopin Nie

Inventor's Signature: *Xiaopin Nie*

Date: 09/12/2000

Residence: Petaluma, California

Post Office Address: 1940 Granite Valley Way  
Petaluma, CA 94954

Citizenship: Canada

Full name of sixth joint inventor:

Brian Rushka

Inventor's Signature: *Brian Rushka*

Date: 09/12/2000

Residence: Santa Rosa, California

Post Office Address: 3765 Porter Creek Road  
Santa Rosa, CA 95404

Citizenship: Canada



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/639,396	08/15/2000	Philippe Daniel	M-8390US

33031  
CAMPBELL STEPHENSON ASCOLESE, LLP  
4807 SPICEWOOD SPRINGS RD.  
BLDG. 4, SUITE 201  
AUSTIN, TX 78759



CONFIRMATION NO. 1471

ABANDONMENT/TERMINATION  
LETTER

\*OC000000008570489\*

Date Mailed: 08/05/2002

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/24/2000.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2-4 COPY TO BE RETURNED WITH RESPONSE